

MAN

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

UNITED STATES OF AMERICA	)	
	)	No. 07 CR 789
v.	)	Magistrate Judge Jeffrey Cole
	)	
DAVID P. ESTRADA	)	

**ORDER**

This matter comes before the Court for a detention hearing held in the above captioned case on December 5, 2007. The Court conducted a detention hearing to determine whether there exist a condition or combination of conditions of release that would reasonably assure the appearance of the defendant as required and the safety of any person and the community. At this hearing, the Court took into account available information concerning the nature and circumstances of the offense charged; the weight of the evidence against the defendant; the history and characteristics of the defendant including his character, physical and mental condition, family ties, employment, financial resources, length of residence in the community, community ties, past conduct, history relating to drug and alcohol abuse, and criminal history; whether, at the time of the current offense was on parole; and the nature and seriousness of the danger to any person in the community that would be posed by the defendant's release. After consideration of all of the above factors, it is hereby ordered that:

1. The Court finds by clear and convincing evidence that no condition or combination of release will reasonably assure the safety of any other person and the community;

2. The defendant while awaiting trial shall be committed to the custody of the Attorney General for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal;

3. The defendant shall be afforded reasonable opportunity for private consultation with counsel; and

4. On order of a court of the United States or on request of an attorney for the government, the person in charge of the corrections facility in which the defendant is confined deliver the person to a United States marshal for the purpose of an appearance in connection with a court proceeding.

Even after the determination by this Court that the defendant be detained while awaiting trial, the detention hearing may be reopened at any time before trial if the Court finds that information exists that was not known to the movant at the time of the hearing and that the has a material bearing on the issue whether there are conditions of release that will reasonably assure the appearance of such person as required and the safety of any other person and the community.



Jeffrey Cole  
U.S. Magistrate Judge

Dated: Dec 7, 2007